

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 2ND JANUARY 2007 / 12TH AGRAHAYANA, 1928

WP(C).No. 33337 of 2006(R)

ST.1950/2006 of J.M.F.C.-I,THRISSUR
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PETITIONER:

M/S. BANSAL INTERNATIONAL,
9/415, SALU COMPLEX, MISSION QUARTERS JUNCTION,
THRISSUR, REPRESENTED BY MANAGING PARTNER,
P.P.ABDUL WAHAB, AGED 50 YEARS, S/O. PAREED,
"SHABIS", MANA LINE, KOORKKANCHERY, THRISSUR-7.

BY ADV. SRI.P.VIJAYA BHANU
SMT.K.S.CHANDRIKA

RESPONDENTS:

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1. M/S. SUPER COMMERCIAL COMPANY,
78, SHESHADRI BHAVAN, RAMBAGH COLONY,
MEDICAL SQUARE, NAGPUR - 440 003.
 2. MR. PRAVEEN KRISHNA RAO NINAWA,
AGED 40 YEARS, CHIEF EXECUTIVE OFFICER,
M/S. SUPER COMMERCIAL COMPANY, 78,
SHESHADRI BHAVAN, RAMBAGH COLONY,
MEDICAL SQUARE, NAGPUR - 440 003.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02/01/2007 ALONG WITH WP(C) NOS.33343/06 & 33406/06, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.Ramkumar, J.
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W.P.(C)Nos.33337,33343 & 33406 of 2006
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Dated this the 2nd January, 2007.

JUDGMENT

The common petitioner in these Writ Petitions is the complainant in private complaints under Section 138 of the Negotiable Instruments Act, 1881 and the respondents herein are the common accused in those complaints, which are now pending before the J.F.C.M.- I, Thrissur as S.T.Nos. 1950/06, 1689/06 and 1690/06 respectively. The prayer of the petitioner is for an expeditious disposal of the above S.T. cases. Since the respondents belong to Nagpur, their presence had to be secured by issuing non-bailable warrants of arrest against them.

2. On this court calling upon the Magistrate to state the present stage of the cases and the possible time within which those cases could be disposed of, the learned Magistrate sent a report on 23.12.2006 stating that in S.T.Nos. 1689/06 and 1690/06, the accused were arrested and produced before court and were subsequently released on bond subject to certain conditions which were modified by the Sessions Court, Thrissur and that those two cases can be disposed of within six months. With regard to the third case, namely, S.T.No.1950/06, the learned Magistrate has stated that

it was refiled as S.T.No.6004/06 and summons is yet to be ordered to the accused in that case, which stands posted to 19.4.2007 and that the said case can be disposed of within six months from the date of appearance of the accused. In as much as the respondents have entered appearance in S.T.Nos.1689/06 and 1690/06, which are the subject matters of W.P.(C)Nos.33343 of 2006 and 33406 of 2006, the said Writ Petitions are disposed of directing the Magistrate to complete the trial in those cases and dispose of the same within six months from today. I

3. W.P.(C)No.33337 of 2006 pertains to S.T.No.1950, which has been refiled as S.T.No.6004/06. The same is disposed of directing the Magistrate to complete the trial and dispose of the same within four months of the date of appearance of the accused in that case.

4. In case, the Magistrate is not able to adhere to the above time limit, he shall report to this Court through proper channel explaining the reasons as to why the case could not be disposed of within the above time limit.

These Writ Petitions are disposed of accordingly.

V.Ramkumar,
Judge.

WP(C) 33337/06,etc.

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